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Attorneys for Non-Parties
SANDSTONE GROUP, LLC,
TYTO LIDAR, LLC, and
OGNEN STOJANOVSKI

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

WAYMO LLC

Plaintiff,

v.

UBER TECHNOLOGIES, INC.;
OTTOMOTTO LLC; OTTO TRUCKING LLC

Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF ADRIAN J. SAWYER
IN SUPPORT OF WAYMO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL ITS CORRECTED
SUPPLEMENTAL BRIEF IN SUPPORT
OF ITS MOTION FOR ORDER TO SHOW
CAUSE WHY DEFENDANTS SHOULD
NOT BE HELD IN CONTEMPT OF THE
PRELIMINARY INJUNCTION ORDER
AND EXPEDITED DISCOVERY ORDER**

1 I, Adrian J. Sawyer, hereby declare as follows:

2 1. I am an attorney licensed to practice before all courts of the State of California. I
3 am a partner in the law firm of Kerr & Wagstaffe LLP, attorneys for non-parties Sandstone
4 Group, LLC, Tyto LiDAR, LLC, and Ognen Stojanovski. I have personal knowledge of the
5 matters stated herein and if called upon would testify competently thereto.

6 2. I make this declaration in support of Waymo's Administrative Motion to File
7 Under Seal Its Supplemental Brief in Support of Its Motion for Order to Show Cause Why
8 Defendants Should Not be Held in Contempt of the Preliminary Injunction Order and Expedited
9 Discovery Order (Dkt. 1501). I have reviewed the Administrative Motion to File Under Seal
10 (the "Administrative Motion"), together with Waymo's Corrected Supplemental Brief in Support
11 of Its Motion for Order to Show Cause Why Defendants Should Not be Held in Contempt of the
12 Preliminary Injunction Order and Expedited Discovery Order (the "Supplemental Brief") (Dkt.
13 1501-3), and those exhibits to the Supplemental Brief sought to be filed under seal.

14 3. Tyto LiDAR and Sandstone Group are non-parties and are existing limited
15 liability companies. All information designated by Tyto LiDAR or Sandstone Group and
16 included in the Supplemental Brief was designated confidential; none was designated highly
17 confidential/AEO by Tyto LiDAR or Sandstone Group.

18 4. Exhibit 4 to the Supplemental Brief consists of portions of the deposition of
19 Anthony Levandowski, taken in this action. The yellow¹ highlighted portions of Exhibit 4 reflect
20 confidential information regarding the ownership and structure of non-party Sandstone Group,
21 financing of Sandstone Group, the ownership of Tyto LiDAR, and the financing of Tyto LiDAR.
22 Because Sandstone Group and Tyto LiDAR are non-parties and existing private companies, they
23 request that their confidentiality interests in this ownership and financing information be
24 respected in this proceeding.

25 5. Exhibit 7 to the Supplemental Brief consists of two separate documents
26 combined. The first document, labeled SANDSTONE 000001-000002, Sandstone Group's
27 Articles of Organization, has been publicly filed with the Secretary of State. Sandstone does not
28

¹ Waymo erroneously refers to "orange" highlighting in the Administrative Motion.

contend that it is confidential, and will remove the confidentiality designation in the footer. The second document, SANDSTONE 000003-000007, is the Operating Agreement of Sandstone Group, LLC. It has not been filed with the Secretary of State and remains confidential. The Operating Agreement contains confidential information regarding Sandstone Group's ownership, operations, and finances. Sandstone Group is a non-party and existing private company and as such is entitled to confidentiality in its ownership, operations, and finances.

6. Exhibits 10 and 11 to the Supplemental Brief reflect confidential operational information of Tyto LiDAR, namely equipment purchases.

7. Exhibit 12 to the Supplemental Brief reflects confidential proprietary and operational information of Tyto LiDAR, namely information related to product development, product and prototype design, equipment purchases, and software purchases.

8. Waymo's request to seal is narrowly tailored to those exhibits to Waymo's Supplemental Brief that merit sealing.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 14th day of September, 2017 at San Francisco, California.

/s/ Adrian J. Sawyer
ADRIAN J. SAWYER